

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	8:20CR163
)	
vs.)	
)	
SHAWN SMITH and JUSTIN COTTEN,)	ORDER
)	
Defendants.)	
)	
)	
)	
)	

This matter is before the court on the defendant, Justin Cotten's Unopposed Motion to Continue Trial [59]. Counsel for defendant, Shawn Smith has no objection to the unopposed motion to continue trial [59]. Counsel needs additional time as the parties continue to work on a potential plea agreement. For good cause shown,

IT IS ORDERED that the Motion to Continue Trial [59] is granted, as follows:

1. The jury trial, **for both defendants**, now set for May 18, 2021, is continued to **July 6, 2021**.
2. In accordance with 18 U.S.C. § 3161(h)(7)(A), the court finds that the ends of justice will be served by granting this continuance and outweigh the interests of the public and the defendants in a speedy trial. Any additional time arising as a result of the granting of this motion, that is, the time between **today's date and July 6, 2021**, shall be deemed excludable time in any computation of time under the requirement of the Speedy Trial Act. Failure to grant a continuance would deny counsel the reasonable time necessary for effective preparation, taking into account the exercise of due diligence. 18 U.S.C. § 3161(h)(6), (7)(A) & (B)(iv).
3. **No further continuances will be granted without a hearing before the undersigned magistrate judge.**

DATED: April 28, 2021.

BY THE COURT:

**s/ Michael D. Nelson
United States Magistrate Judge**